

## FARMINGTON CITY COUNCIL MEETING

September 20, 2011

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### WORK SESSION

***Present:** Mayor Scott Harbertson, Council Members John Bilton, Rick Dutson, Cory Ritz, Jim Talbot and Sid Young, City Finance Director Keith Johnson, Community Development Director David Petersen, City Engineer Paul Hirst, City Recorder Holly Gadd and Recording Secretary Cynthia DeCoursey. City Manager Dave Millheim was excused.*

**Mayor Harbertson** began the meeting at 6:10 p.m. City Finance Director **Keith Johnson** gave the quarterly financial update of the Farmington City Corporation including details regarding:

- General Fund Balances
- Final Budget Fiscal Year ending 6-30-2011
- General Fund Revenues for Fiscal Year 2011
- General Fund Expenditures for Fiscal Year 2011
- Class C Road Funds 2011 Budget
- Recreation Fund
- Water Operations
- Comparison of Fiscal Year 2011 Actual to 2012 Approved Budget

### REGULAR SESSION

***Present:** Mayor Scott Harbertson, Council Members John Bilton, Rick Dutson, Cory Ritz, Jim Talbot and Sid Young, Assistant City Manager Keith Johnson, Community Development Director David Petersen, City Engineer Paul Hirst, City Recorder Holly Gadd and Recording Secretary Cynthia DeCoursey. City Manager Dave Millheim was excused.*

### **CALL TO ORDER:**

#### Opening Comments/Invocation/Pledge of Allegiance

**Mayor Harbertson** opened the meeting at 7:08 p.m. and welcomed those in attendance, including **Austin Lemon** of the Youth Council. **Keith Johnson** offered the invocation, and the Pledge of Allegiance was led by local Boy Scout **Joseph Larson** of Troop 1238.

#### Approval of Minutes

#### Motion

**Rick Dutson** made a motion to approve the minutes of the August 25, 2011 Special City Council Meeting. The motion was seconded by **Cory Ritz** and approved by Council Members **Bilton, Dutson, Ritz, Talbot and Young**.

#### Motion

**Jim Talbot** made a motion to approve the minutes of the September 6, 2011 City Council Meeting with several amendments made during the work session. The motion was seconded by **Rick Dutson** and approved by Council Members **Dutson, Ritz, Talbot** and **Young**. **John Bilton** abstained because he did not attend the meeting.

## **PUBLIC HEARINGS:**

### **Public Hearing: Zoning Text Amendments regarding Historic Buildings**

**David Petersen** said Farmington City enacted Section 11-3-045 of the Zoning Ordinance regarding Special Exceptions on December 4, 2002 (Ordinance 2002-48). Paragraph 1 of this section states in part: "A special exception is an activity or use incidental to or in addition to a principal use permitted in a zoning district or an adjustment to a fixed dimension standard permitted as an exception to the requirements of this Title". The City is proposing that this language be expanded to include adaptive reuses, which may or may not be allowed in a particular zone, for the purpose of restoring and preserving historic buildings and structures. The City Attorney approved the proposed amendment, and the Planning Commission also recommended approval.

### **Public Hearing**

**Mayor Harbertson** opened public hearing at 7:15 p.m. There was no one from the public to speak concerning this item, and the public hearing was closed.

The Council discussed the proposed Ordinance and determined that it seems to be consistent with the City's current historic districts and landmark designations. It will also allow the City and its residents to think more creatively about uses of historical structures. The **Mayor** commented that wherever he goes, people comment about Farmington's downtown area and the tree-lined streets and historic homes. The importance of high-quality landscaping around these historical structures was also discussed. **David Petersen** said a landscaping plan could be required which would be similar to a conditional use permit. The Council determined that the adaptive use should be a strong factor as the City's historic district is developed. **Mr. Petersen** said the adaptive use is limited to residential and office uses, and Chapter 3 of the City code requires high standards.

### **Motion**

**Cory Ritz** made a motion to approve the Ordinance amending Section 11-3-045(1) and enacting 11-2-020(3) of the Farmington City Municipal Code regarding special exceptions for adaptive reuses in historic buildings and/or structures (ZT-2-11). The motion was seconded by **John Bilton** and approved by Council Members **Bilton, Dutson, Ritz, Talbot** and **Young**.

## **SUMMARY ACTION:**

### **Minute Motion Approving Summary Action List**

1. Building Activity Report for August
2. Canvass of Primary Election Results

**Mayor Harbertson** said item #1 is only a report and does not need to be included in the motion. He congratulated the top 6 candidates from the primary election: **Justin LeCheminant, Nelsen Michaelson, Cory Ritz, Dustin Siler, Tyler Turner, and James Young.**

### Motion

**Sid Young** made a motion to approve item #2 on the Summary Action List. The motion was seconded by **Rick Dutson** and approved by Council Members **Bilton, Dutson, Ritz, Talbot** and **Young.**

## GOVERNING BODY REPORTS:

### City Manager Report

- The City has received a bid for the interface of the fire engine. Details will be provided at the Council meeting on October 4, 2011.
- City staff would like to release the retainer fee on the new building which has been held for more than a year. The warranty work is complete except for several items in the Council Chambers. **Jim Talbot** said there is a hole in the wall behind one of the paintings. **Rick Dutson** asked if all of the electronic items in the Chambers are in working order, and the Council authorized the release of funds upon completion of the last few items.

### Mayor Harbertson

- He asked the City Council to review the To Do Lists compiled by the City Manager and delete the items which no longer apply and mark any pertinent questions/suggestions.
- He attended the Western Davis Corridor meeting and said UDOT's realignment research is ongoing, and they expect to announce their preferred alignment for Farmington in the spring of 2012. UDOT will give a report to the City Council on October 18, 2011.
- He attended the September 11, 2011 ceremony at the Farmington Fire Station—Fire Chief **Guido Smith** gave a speech, 180 people were in attendance, and the group hiked to Flag Rock following the program. There was an American flag draped over the kiosk near the Fire Station which was very tattered, and the **Mayor** said the Trails Committee places a new flag at Flag Rock almost monthly. He suggested using **Jim Talbot's** idea—to earmark the funds collected from the Verizon cell tower—to purchase the flags.
- He attended several workshops at the Utah League of Cities and Towns Convention which were very beneficial. He encouraged Council attendance in both May and September each year. **Jim Talbot** congratulated the **Mayor** who was confirmed as President.

- Thirteen firefighters assisted with the fire in Centerville until 3:00 a.m. They were very fortunate to have the wind direction in their favor, and they were able to contain the fire quickly. Council Member **John Bilton** was also assisting because his wife's parents live in the area.

**John Bilton**

- He asked when Davis County is planning to repair and open the Farmington Canyon road. The **Mayor** said the report from the Forest Service is that the entire hillside is unstable, and they have no plans to work on the road until possibly next summer. He has not heard from the County regarding the timing to repair their section of the road.

**Cory Ritz**

- He also attended several very good workshops at the League convention.
- He attended a Mosquito Abatement district meeting and reported that there had been no cases of the West Nile virus in Salt Lake or Davis Counties until 2 weeks ago when a man who spent time in Moab returned and became sick.
- During the district meeting, a staff member who attends the University of Utah presented a plan to provide mosquito netting for households in Africa. He suggested the possibility of having the Youth City Council participate in the project.
- A resident on State Street asked when the sycamore trees will be replaced. **Neil Miler** said they are difficult to replace because the root base is so wide, and he plans to ask a professional arborist to look at the trees and offer suggestions.

**Rick Dutson**

- Several citizens expressed concern regarding a smoke shop which is preparing to open in the Smith's shopping center, and **Mr. Dutson** asked if the City can require that this type of business be located a certain distance away from public places. **David Petersen** said staff is planning to study the issue, and the Council may also review the City's sign ordinance again—they opted not to alter the window signs section the last time it was discussed. He said businesses such as the smoke shop rely heavily on window signs and trading the signs often, and many other businesses in the City would also be affected.
- He plans to attend the Town Hall meeting on Wednesday, September 21, 2011.

**Sid Young**

- He benefitted from the workshops at the League Conference and suggested that Farmington City prepare a summary of the strategic plan on a two-sided, laminated sheet of paper. This could be placed in the packet about Farmington or provided to anyone who asks.

- The Right-of-Way Agreement regarding the fire break road was signed by property owner **Jerry Stevenson**. He spoke with former Congressman **Jim Hansen** who is willing to work with the U.S. Forest Service regarding the water tank.

### Jim Talbot

- A resident mentioned that a vacant home in his neighborhood is unsafe—he would like an inspection to determine the status of the home. **David Petersen** said a resident told him that the same home is an asset to the neighborhood, and he does not it removed.
- The Trails Committee asked who is responsible for the log rail fencing along the southeast side of the Lagoon Trail near the elk and buffalo. Many of the logs are missing, and the Committee would like to assist in getting them replaced. The **Mayor** said he believes the City shares the responsibility with Lagoon, and he will discuss the issue with the City Manager.
- He inquired about the maintenance agreement for the Legacy Trail and was told that the cities are still working toward a shared solution.
- The Trails Committee asked where they should deposit the wood they prune from bushes and trees along the City's trails. **Keith Johnson** said they should contact the Public Works Department, and the **Mayor** pointed out that the sewer plant accepts smaller debris.
- The Trails Committee is concerned about tree stumps which are left behind and are sometimes fairly high and asked if the City has a stump grinder they could borrow. **Keith Johnson** said he will discuss the issue with the City Manager.

### MISCELLANEOUS

The **Mayor** said a current Farmington resident would like to address the Council.

**Keith Gold**, 118 Country Bend Road, said two residents who live in the area of Burke Lane and 1525 West attended the Planning Commission meeting, and the proposed business park will push them out of their homes. This is a rural area, and neighbors in the area are asking that they receive information regarding the projects and that public discussions are held to discuss the proposed projects.

The **Mayor** explained that numerous issues are reviewed each month by both the City Council and the Planning Commission, and agendas and minutes for all City meetings are posted on the City's website. Residents may also sign up to receive an email each time an agenda for either meeting is posted. A Town Hall meeting is held on the first Wednesday of each month—this is an open forum and residents are encouraged to attend and discuss any issues they may have. In response to a question from **Mr. Gold**, the Mayor said an additional moratorium could not be placed on this area when the current one expires in a few weeks. He quoted from **Mr. Gold's** email, "Why is such development happening in a rushed, almost secretive manner, and not being thoroughly discussed in an open session?" The **Mayor** adamantly replied that the City Council never rushes through items or deals with them in a secretive manner—all of the City's meetings are open. City officials have met with resident **Mike Romney** numerous times to try and work out a solution related to the proposed business park.

**Rick Dutson** said he has served on the Council for almost eight years, and he also stated that there are numerous opportunities for the public to become informed. Each agenda item is reviewed at least twice by the Planning Commission, and it is then reviewed by the City Council. Reports are published in local newspapers, and property owners are notified. To say that the Council is conducting


business behind closed doors is deeply offensive, and he told **Mr. Gold** that he should have made a few phone calls and researched the proper procedures before he sent such an offensive email to the City Council. To be accused of dealing with issues in a secretive manner is very disappointing.

**Mr. Gold** apologized if his behavior seemed offensive.

## ADJOURNMENT

### Motion

**Jim Talbot** made a motion to adjourn the meeting. The motion was seconded by **Rick Dutson**, and it was approved by Council Members **Bilton, Dutson, Ritz, Talbot** and **Young**. The meeting was adjourned at 8:15 p.m.

  
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**Holly Gadd**, City Recorder  
Farmington City Corporation